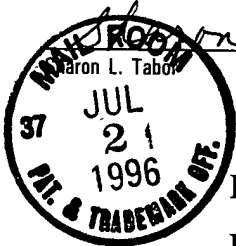


CERTIFICATE OF MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of)
Hisato SHINOHARA et al)
Serial No. 08/169,127) Group Art Unit: 1112
Filed: December 20, 1993) Examiner: M. Padgett
For: METHOD AND SYSTEM OF)
LASER PROCESSING) July 1, 1996

REPLY BRIEF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Examiner's answer has been received and its contents carefully reviewed. In view thereof, Appellant wishes to address a new point of argument raised in the answer.

The answer contends that the *Summary of Invention* contained in the brief is deficient in that Appellant's interpretation of the claims does not "fit" the appealed claims and, thus, the interpretation is a new issue. In asserting that Appellant's interpretation of the appealed claims is a new issue, the answer contends that the "wording of the claims as it is derived from the specification does not claim the configuration as shown in Fig. 1" of the specification. However, Appellant's interpretation of the claims as set forth in the summary of the invention is the same interpretation set forth by Appellant during

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prosecution. Moreover, the wording of the appealed claims accurately recites the configuration as shown in Figs. 2A-2D of the present specification.

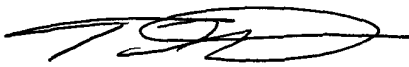
Specifically, Appellant's interpretation as recited in the *Summary of Invention* section of the brief filed March 6, 1996, interprets the claims using substantially the same language present in the claims fully considered by the Examiner including amendments resulting from the first amendment after final filed August 24, 1995. Also, in the *Remarks* portion of the first amendment after final, in discussing the portions of the priority application disclosing the subject matter of the now appealed claims, Appellant specifically described the emitting, expanding, removing and condensing steps in the same manner as set forth in the *Summary of Invention* section of the March 6, 1996 appeal brief. Therefore, the *Summary of Invention* section of the appeal brief simply does not set forth any description or interpretation of the claims contrary to the claims as entered on appeal.

The answer contends that the claims require the laser beam to be bent when it is condensed since condensing occurs in a second direction orthogonal to a first direction. However, nowhere does the specification or claims support and require such an interpretation. Appellant contends that a person of ordinary skill in the art, reading the specification, would construe the appealed claims as being directed to the embodiment of Figures 2A-2D. Page 6, lines 4-25 and page 7, lines 1-10, with reference to both Figure 1 and Figures 2A-2D, clearly describe and illustrate the expansion of the beam in a first direction, the removal of a peripheral portion of the expanded beam and the condensing of the beam in a second direction orthogonal to the first direction to form a line-shaped transverse cross-section at the object. Appellant is merely setting forth in the *Summary of Invention* section of the appeal brief the same

description/interpretation of the claims set forth in the original specification. As shown on Attachment I, attached herewith, the direction of expansion of the beam occurs in a first direction as represented by the arrows in Figure 2B. Comparing Figures 2D and 2E, it is evident that the direction of condensing occurs in the direction of the arrows shown in Figure 2E. Therefore, it is clear that the direction of condensing of the beam is orthogonal to the direction of expansion. Thus, the wording of the claims as interpreted based on a reading of the specification, including the drawing and claims, accurately recites the subject matter disclosed in Figures 1 and 2A-2D. Appellant's interpretation of the claims in the *Summary of Invention* section of the appeal brief is entirely consistent with the appealed claims.

In view of the foregoing, Appellant respectfully requests that the interpretation of the appealed claims as set forth in the *Summary of Invention* section of the brief filed March 6, 1996, not be considered a new issue.

Respectfully submitted,



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